

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:

Emanuel R. Mori : Case No. 18-21179-CMB
Debtor(s) : Chapter 13

The Bank of New York Mellon, :
successor to The Bank of New York, :
not in its individual capacity but solely :
as Trustee on behalf of the holder of the:
CIT Mortgage Loan Trust, 2007-1 :
Asset-Backed Certificates, Series :
2007-1 :
Movant(s) :
vs. :
Hearing Date: 5/12/20 at 10:00 a.m.

Emanuel R. Mori :
Respondent :
and :
Ronda J. Winnecur, Trustee, :
Additional Respondent(s) :
vs. :
Hearing Date: 5/12/20 at 10:00 a.m.

CHAPTER 13 TRUSTEE'S RESPONSE TO MOTION OF
THE BANK OF NEW YORK MELLON, SUCCESSOR TO
THE BANK OF NEW YORK RELIEF FROM AUTOMATIC STAY

Ronda J. Winnecur, Chapter 13 Trustee, by her undersigned counsel,
respectfully represents the following:

1. Bank of New York Mellon, successor to The Bank of New York requests relief from stay with regard to the property located at 4621 Carroll Street, Pittsburgh, PA 15224. The Motion pleads a March 2020 payoff of \$42,768.37.
2. The Motion does not appear to plead a value for the property. Debtor's Schedules list the value of the property as \$125,000.00.
3. There appears to be a substantial equity cushion in the property that provides adequate protection for the creditor and relief from stay should be denied on that basis.

4. The estate has an interest in the equity in the property. If the Debtor cannot propose a feasible plan that will pay the secured creditor, or otherwise implement a sale of the property within a reasonable period of time, the Trustee requests that the case be converted to Chapter 7 so a Trustee can sell the property and realize its value.

WHEREFORE, the Trustee respectfully requests that the motion be denied.

RONDA J. WINNECOUR,
CHAPTER 13 TRUSTEE

Date: April 14, 2020

By: /s/ Owen W. Katz
Owen W. Katz, PA I.D. 36473
Attorney for Chapter 13 Trustee
U.S. Steel Tower, Suite 3250
600 Grant Street
Pittsburgh, PA 15219
(412) 471-5566
Email: okatz@chapter13trusteewdpa.com

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and	:	
Ronda J. Winnecur, Trustee,	:	
Additional Respondent(s)	:	

CERTIFICATE OF SERVICE

I hereby certify that on the 14th of April 2020, I served one true and correct copy of the foregoing document on the following parties in interest by United States first-class mail, postage prepaid, addressed as follows:

Joseph S. Sisca, Esquire
Office of the United States Trustee
Liberty Center, Suite 970
1001 Liberty Avenue
Pittsburgh, PA 15222-3721

Bryan P. Keenan, Esquire
993 Greentree Road, Suite 101
Pittsburgh, PA 15220

Emanuel R. Mori
801 Limestone Drive
Allison Park, PA 15101

James C. Warmbrodt, Esquire
KML Law Group, P.C.
701 Market Street, Suite 5000
Philadelphia, PA 19106

/s/ Rosa Richard
Office of Chapter 13 Trustee
U.S. Steel Tower – Suite 3250
600 Grant Street
Pittsburgh, PA 15219
(412) 471-5566
cmecf@chapter13trusteewdpa.com